



California Regional Water Quality Control Board Central Valley Region



Geo

Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

17 November 2006

CERTIFIED MAIL
7005 1820 0003 3294 1054

Mr. Mike Sommers
Winemucca Trading Company Limited, Inc.
P. O. Box 4261
Incline Village, NV 89450

ORDER TO SUBMIT INFORMATION PURSUANT TO CALIFORNIA WATER CODE SECTION 13267, WINEMUCCA TRADING COMPANY LIMITED, INC., FORMER SHASTA PAPER COMPANY FACILITIES AND PROPERTIES INCLUDING THE SHASTA PULP AND PAPER MILL WASTEWATER TREATMENT LAGOONS, SHASTA COUNTY

On 29 October 2004, the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board) Executive Officer issued Cleanup and Abatement Order (CAO) No. R5-2004-0717 to Winemucca Trading Company Limited, Inc. (Winemucca) requiring cleanup of wastes at the former Shasta Paper Company facilities and properties, including the Shasta Pulp and Paper Mill, Shasta County. This CAO ordered Winemucca to sample and characterize paper pulp sludge by 1 April 2005; submit a plan to properly dispose of the sludge by 1 April 2005; submit a plan to clean-close the holding basins, clarifiers and wastewater treatment lagoons by 1 April 2005; and to complete closure activities associated with wastewater treatment lagoons, holding basins, and clarifiers at the Shasta Pulp and Paper Mill by 1 October 2006. **These items listed above were not completed as required by the CAO.**

Regional Water Board staff has reviewed the 10 October 2006 *Feasibility Study Wastewater Treatment Facility, Winemucca Trading Company, Former Shasta Paper Mill, Anderson, California* (Feasibility Study) and supplemental information ordered by the Regional Water Board Assistant Executive Officer on 5 October 2006 and 12 October 2006 and provided on 18 October 2006. The submittals included:

- Development of four closure alternatives (Alternatives 1 to 4) and one reuse alternative (Alternative 5),
- A time schedule to implement Alternative 3, Consolidate and Cap-in-place.

Of the five alternatives, Alternative 3 ranked most favorably in the Feasibility Study in terms of overall protection of human health and the environment, compliance with remedial action goals, long-term effectiveness and performance, reduction of toxicity, mobility or volume through treatment, short-term effectiveness, implementability, cost and regulatory acceptance. The time schedule proposed dewatering the ponds the lagoons in Summer 2007, drying the sludge in Summer 2008, consolidating the sludge in Summer 2009, and capping the sludge in Summer 2010.

However, in a 17 October 2006 letter (as part of the supplemental information ordered), Winemucca requested a six-month extension to develop Alternative 5, sludge or pond reuse. As described in the Feasibility Study, Alternative 5 reuse options include treating the sludge to

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produce biodiesel feedstock, producing algae in the ponds for use in biodiesel, or rearing catfish for biodiesel feedstock, human consumption or animal consumption. Use of the lagoons to produce fuel for ethanol production (at the former paper mill) was also discussed in the 17 October 2006 letter.

Regional Water Board staff has no objections to closure Alternative 3, Consolidate and Cap-in-place, and Alternative 4, Clean Closure. We also have no objections to the redevelopment of this property. However, Regional Water Board staff does not support redevelopment prior to closure. Additionally, closure of the lagoons, holding basins, and clarifiers would facilitate redevelopment.

Your request to postpone compliance with CAO No. R5-2004-0717 is denied. Compliance dates specified in the CAO for closure of the lagoons, holding basins, and clarifiers are past due. You are hereby required to provide, **by 1 December 2006**, a report stating your selected closure alternative (either Alternative 3 or Alternative 4), and a detailed implementation schedule. You are further required to provide, **by 15 December 2006**, financial assurance in the amount of \$2,562,500 (based on the cost estimate for Alternative 3 plus 25% oversight) using one of the approved mechanisms listed in California Code of Regulations (CCR) Title 27, Chapter 6. Such financial assurance shall name the California Regional Water Quality Board, Central Valley Region as beneficiary in the irrevocable closure and post-closure maintenance fund mechanism to demonstrate the financial assurances, pursuant to CCR Title 27, Sections 22207 and 22212.

This Order to submit technical reports or information is made pursuant to California Water Code (CWC) Section 13267. CWC Section 13267(b) authorizes the Regional Water Board to require any person who has discharged waste to submit technical reports as may be required to investigate discharges of waste. The above requested report is necessary to determine the extent of pollution and to develop corrective actions protective of public health, the environment, and water quality. The persons named in this letter own the site on which waste has been discharged, and/or caused or permitted the discharges of waste at the site, and are therefore responsible for cleaning it up. Failure to comply with this Order or other Regional Water Board Orders may result in enforcement actions, including penalties. Failure or refusal to furnish the technical report or information required by CWC Section 13267(b) may result in administrative civil liability not to exceed one thousand dollars (\$1,000) per day for each day it is late pursuant to CWC Section 13268 or additional enforcement pursuant to CWC Section 13308, or both.

If you have any questions, please contact Mey Bunte of my staff at (530) 224-4786 or the letterhead address.



JAMES C. PEDRI, P.E.
Assistant Executive Officer

MEWB: sae

cc: Russ Mull, Shasta County Department of Resource Management, Redding
Jim Smith, Shasta County Department of Environmental Health, Redding
Steve Baumgartner, California Department of Fish and Game, Redding
David Mager, Bion Dairy Corporation, Hatfield, MA



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1. Article Addressed to: <u>Mike Sommers</u> <u>Winemucca Trading</u> <u>PO Box 4261</u> <u>Incline Village, NV</u> <u>89450</u>		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
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Total Postage & Fees	\$ <u>4.64</u>
Sent To <u>Mike Sommers</u>	
Street, Apt. No., or PO Box No. <u>Wine Mucca Trading PO Box</u>	
City, State, ZIP+4 <u>Incline Village, NV 89450</u>	
PS Form 3800, June 2002 See Reverse for Instructions	

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